

City Council
Atlanta, Georgia

08-O-1766

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-08-62
Date Filed: 8-11-08

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **889 Wylie Street, S.E.**, be changed from R-5 (Two-family Residential) District to the MRC-1-Conditional (Mixed Residential Commercial-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 13, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey/map.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Conditions for Z-08-62 for 889 Wylie Street, S.E.

1. The site plan Sheet C1.3 entitled, 'MAGNETIC THEATER' stamped received by the Bureau of Planning on September 23, 2008, a minimum 6' high screening wall and landscaping shall be provided surrounding the area labeled 'Pea Gravel Reception Area' in the rear yard.
2. As indicated on the schematic wall section (Sheet C1.5) entitled 'MAGNETIC THEATER' stamped received by the Bureau of Planning on September 23, 2008, sound and environmental insulation (soundproofing) shall be installed to mitigate any external noise spillage.
3. The hours of operation for public events shall be limited until 11:30 PM on Sunday through Thursday event evenings and 12:30 AM for Friday and Saturday event evenings.
4. A valid shared parking arrangement for a minimum of 65 off-site parking spaces shall be required in accordance with Sec. 16-36.020(4).
5. Any party making a request for an administrative site plan change must submit the proposed changes to the Neighborhood Planning Unit-N at the same time the request is submitted to the City of Atlanta. Evidence of the provision of this request to the NPU shall be submitted to the City of Atlanta as a part of the request for the change.
6. Any party submitting an application for a Special Administrative Permit (SAP) and/or any other administrative variation to zoning regulations or conditions must submit the proposed changes to the NPU-N at the same time the request is submitted to the City of Atlanta. Evidence of the submission to the NPU shall be included to the City of Atlanta as a part of the application.
7. Development Controls. The maximum building height shall be 35' excluding the spires and maximum FAR is 1.50.
8. This parcel & structure with their associated design are of primary historical value to the city and Reynoldstown as such we condition the rezoning on two non-conforming issues: rear yard reduction to 0' to allow for the loading and unloading to continue there and that the sidewalk dimensions not be altered.
9. Because the historic property is intended to redevelop for assembly uses noise abatement is a primary concern for immediate neighbors. Construction for sound attenuation shall occur and be in general accordance with wall section sheet C1.5 by BLDGS dated 4 SEP 2008 attached to these conditions as Exhibit B.
10. An off-site parking arrangement to satisfy minimum parking spaces required by zoning in the form of a private agreement must be in force at all times. A copy of said agreement shall be submitted and kept on file and current at the Bureau of Planning and Reynoldstown Civic Improvement League. Diagram of off-site parking sheet C1.4 by BLDGS dated 10SEP 2008 is attached to these conditions as Exhibit C.
11. Being a historic and constrained infill site with no existing parking onsite no new parking shall be allowed on the parcel. One new curb cut for loading is allowed per site plan above.
12. Busses associated with the events shall not park on Selman or Kenyon Streets. Businesses at this location should strongly encourage their patrons through signage and other forms of communication to not park on Selman or Kenyon Streets. Applicant shall work with RCIL to lobby Department of Public Works to enact 30' maximum long vehicle size signs at the beginning of each street.

13. Any business that operates at this location shall have at all events one security officer per 75 attendees minimum.
14. All garbage or refuse collection at the site shall occur between the hours of 9am to 6pm.
15. The hours of operation of any assembly use on the property shall be at the latest 1130pm on weekdays and on weekends 1230am.
16. 90% of exterior lighting fixtures associated with the project shall be full-cut off and/or Dark Sky compliant, not including those required as part of public streetscapes.

SUMMARY OF THE WORK

The project consists of a building located at the corner of Selman Street and Wylie Street. The building is a multi-story structure with a mix of commercial and residential uses. The project involves the renovation of the existing building and the addition of new space. The project is located in the City of Atlanta, Georgia. The project is a multi-phase project with the first phase being the renovation of the existing building and the second phase being the addition of new space. The project is a multi-story structure with a mix of commercial and residential uses. The project is a multi-phase project with the first phase being the renovation of the existing building and the second phase being the addition of new space. The project is a multi-story structure with a mix of commercial and residential uses. The project is a multi-phase project with the first phase being the renovation of the existing building and the second phase being the addition of new space.

PROPOSED ZONING FOR THIS PARCEL - NC-1 (part of a new Neighborhood NC District)

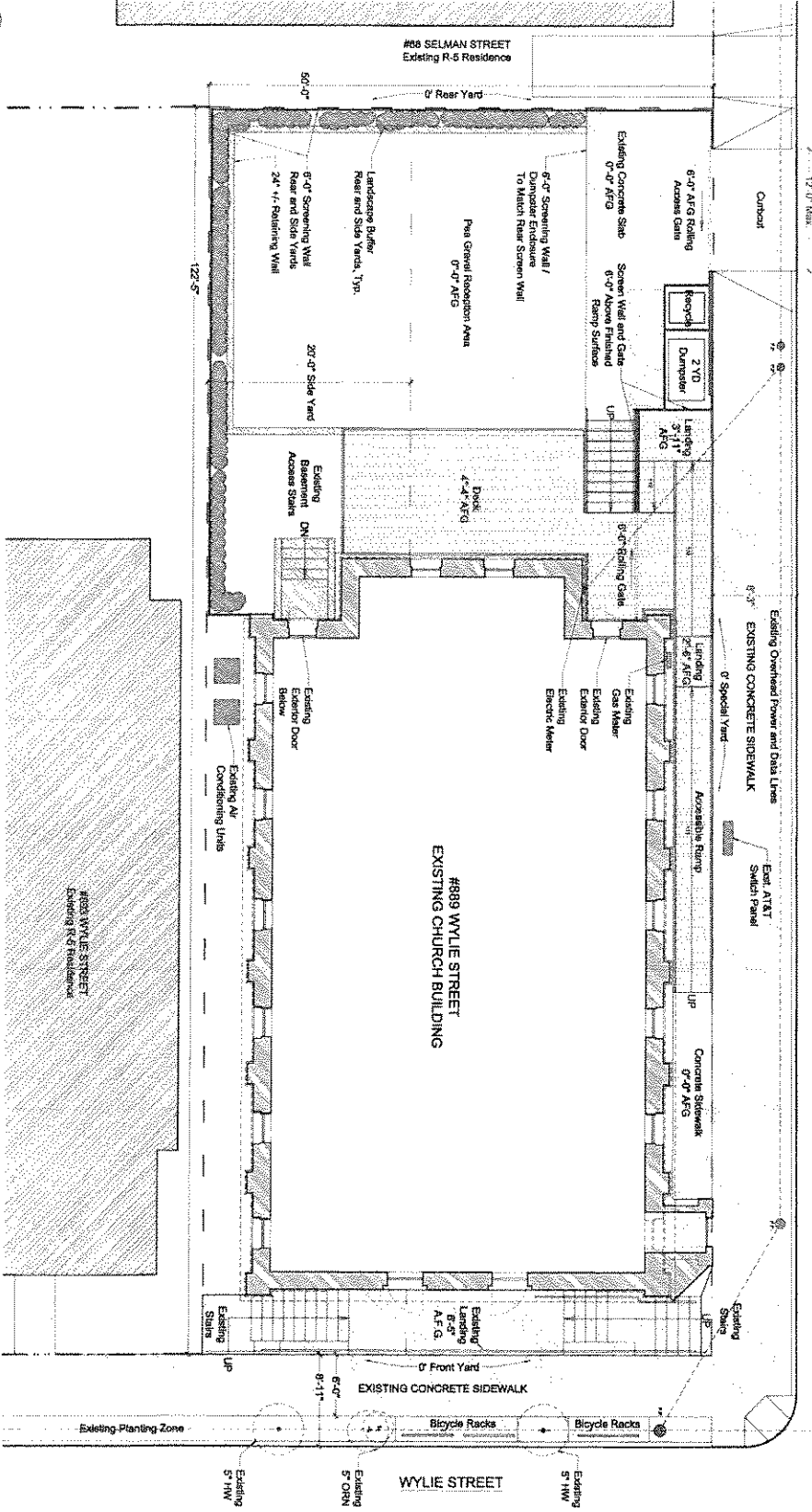
Item	Threshold	Existing / Proposed
Front Yard	6'-0"	6'-0"
Side Yard	6'-0"	6'-0"
Back Yard	20'-0"	20'-0"
Open Space Requirements	150% max.	150% max.
Building Height	12' min. / 35' max.	12' min. / 35' max.
Building Width	30'-0" max.	30'-0" max.
Building Area	15,000 sq. ft. max.	15,000 sq. ft. max.
Building Use	Per Dept. of Plan.	Per Dept. of Plan.

PARKING REQUIREMENTS

Refer to accompanying C-1 PARKING AREA PLANS for map of proposed parking locations. No on-site parking to be provided.

RECEIVED
SEP 23 2008
Bureau of Planning

SELMAN STREET



Proposed Site Plan

GENERAL NOTES

- This project involves modification to existing construction. All dimensions shall be VERTICED IN THE FIELD PRIOR TO ANY WORK.
- NOT FOR CONSTRUCTION unless signed and sealed by the architect.

COMPANY: BLDG INC. ALL WORKS SUBJECT TO THE CITY OF ATLANTA ZONING CODE.

DESIGNER: WFE DATE: 09/23/2008

REVISIONS: 10 SEP 2008

ARCHITECTS

BLDG INC.

1000 WYLYE STREET

ATLANTA, GA 30301

(404) 786-0488

STRUCTURAL ENGINEER

PALMER ENGINEERING COMPANY

3831 FAIRBURN AVE. NORTHLAKE

TUCKER, GA 30084

(770) 565-9966

OWNER

MAGNETIC PROPERTIES LLC

1000 WYLYE STREET

ATLANTA, GA 30301

(404) 388-3019

CONTRACTOR

MAGNETIC PROPERTIES LLC

P.O. BOX 5608

ATLANTA, GEORGIA 31107

(404) 388-3019

SCALE

3/32" = 1'-0"

0 1/2" 4" 8" 16"

NORTH

PROJECT

NAME: MAGNETIC THEATER

ADDRESS: 889 WYLYE STREET

ATLANTA, GEORGIA 30311-150

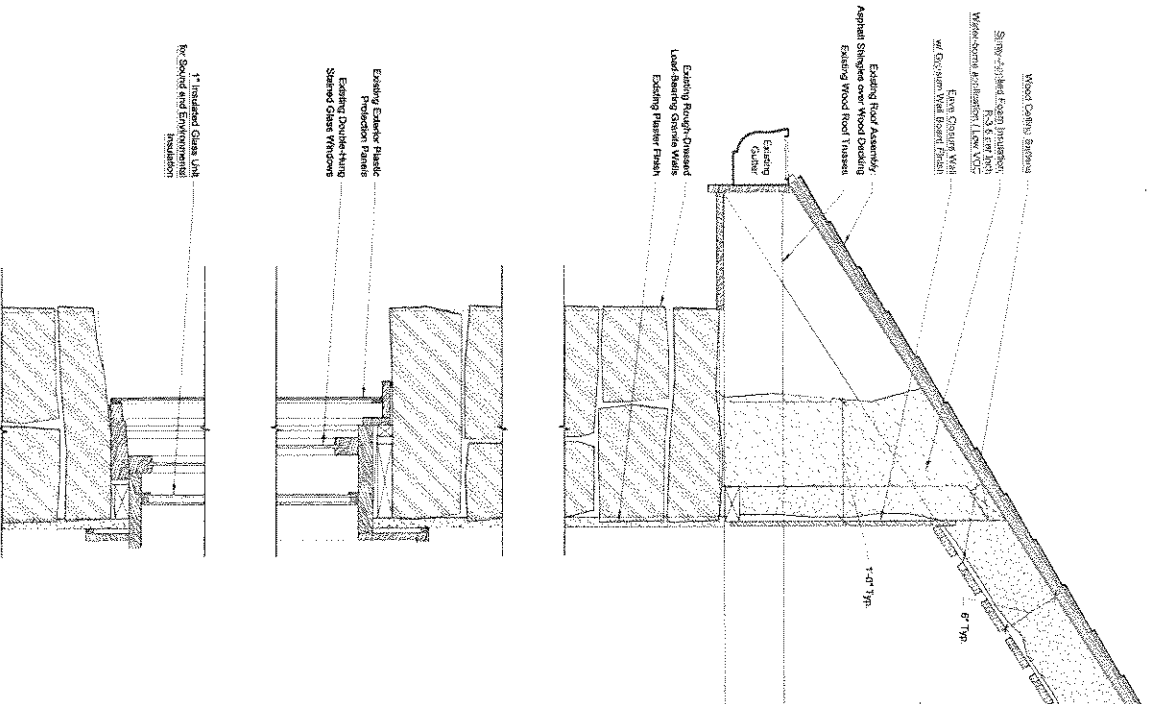
DRAWING

TITLE: PROPOSED SITEPLAN AND ZONING INFO.

NUMBER: C1.3

RECEIVED
SEP 23 2008
Bureau of
Planning

2-08-09



Wall Section at Existing Exterior Granite Walls and Roof Structure

GENERAL NOTES

1. This project involves modification to existing construction. All dimensions shall be VERIFIED in the field prior to any work.
2. NOT FOR CONSTRUCTION unless signed and sealed by the Architect.

APPROVED BY: B. DODS, Inc. ALL RIGHTS RESERVED.
DESCRIPTION: VEH. GAR. 100
REVISION: 04 SEP 2008

SCALE

1" = 1'-0"

ARCHITECTS

BLODS
726 MURPHY AVENUE
ATLANTA, GA 30310
(404) 786-0486

STRUCTURAL ENGINEER

PALMER ENGINEERING COMPANY
3281 PROGRESSWAY AT NORFOLK PLANE
ATLANTA, GA 30328
(770) 266-8908

OWNER

MAGNETIC PROPERTIES, LLC
P.O. BOX 5026
ATLANTA, GEORGIA 31107
(404) 368-3870

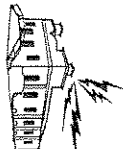
CONTRACTOR

MAGNETIC PROPERTIES, LLC
P.O. BOX 1626
ATLANTA, GEORGIA 31107
(404) 368-3870

SCALE

0 3'-0" 6'-0"
0 1'-0" 2'-0" 3'-0"
15

NORTH



PROJECT NAME

MAGNETIC THEATER

ADDRESS

440 WYDE STREET
ATLANTA, GEORGIA 30318-2398

TITLE

SCHEMATIC
WALL SECTION
C1.5